

AMENDED IN SENATE APRIL 5, 2006

**SENATE BILL**

**No. 1364**

---

**Introduced by Senator Battin**

February 21, 2006

---

An act to add Section 351.5 to the Family Code, relating to marriage licenses.

LEGISLATIVE COUNSEL'S DIGEST

SB 1364, as amended, Battin. Marriage licenses: public safety officials.

Existing law provides for the issuance of marriage licenses and imposes duties on county clerks in that regard, as specified. Existing law requires that a marriage license show the identity of the parties to the marriage, ~~and~~ the parties' real and full names, places of residence, and ages, *and one or more witness attestations and the witnesses' name and place of residence*.

This bill would except from the requirement that a marriage license show the parties' *or witnesses'* places of residence, upon request by an applicant *or witness* who is a public safety official, as defined. Upon that request, the bill would require the county clerk to require reasonable documentation that the applicant *or witness* is a public safety official. By adding to the duties of county employees in that regard, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 351.5 is added to the Family Code, to  
2     read:  
3     351.5. (a) Notwithstanding subdivision (b) of Section 351, if  
4     either of the applicants for , *or any witness to*, a marriage license  
5     is a public safety official, as defined in Section 6254.24 of the  
6     Government Code, at the request of that applicant *or witness*, the  
7     license shall not show the places of residence of the parties *or*  
8     *that witness*.  
9     (b) A county clerk shall require reasonable documentation that  
10    the applicant *or witness* is a public safety official whenever an  
11    applicant requests that a license be issued, *or a witness is*  
12    *required to attest to a license*, pursuant to subdivision (a).  
13    SEC. 2. If the Commission on State Mandates determines that  
14    this act contains costs mandated by the state, reimbursement to  
15    local agencies and school districts for those costs shall be made  
16    pursuant to Part 7 (commencing with Section 17500) of Division  
17    4 of Title 2 of the Government Code.